

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

### for February 16, 2005 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items.

**P.A.S.:** Change of Zone #05003 - Additional Height and Area, Lighting  
Misc # 05001 - Lighting Standards

**PROPOSAL:** Text amendments to :

*Zoning, Title 27 LMC;*  
Chapter 27.71 Additional Height and Area

*Title 3 -Lincoln Design Standards for Zoning and Subdivision*  
*Regulations;*  
New Section 3.100 Outdoor Lighting

All relating to lighting standards.

**CONCLUSION:** These amendments modify the existing ordinances and standards to reflect adjustment to the lighting where residential uses/districts abut commercial uses and lighting. This language is consistent with specifications in the 2025 Comprehensive Plan. The proposed changes would extend protection from light trespass to residential properties in older as well as newer parts of the city. But research into the lighting standards indicates that a comprehensive overhaul is needed.

<b>RECOMMENDATION:</b>
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Approval of attached text
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**HISTORY:** December 2004, application by Near South Neighborhood Association for lighting amendments. Now on hold pending the resolution of this application.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Comprehensive Plan states:

The most intensive commercial uses, such as restaurants, car washes, grocery stores, gasoline/ convenience stores and drive thru facilities should be located nearer to the major street or roadway and furthest from the residential area. Citizens of the community have become increasingly concerned about "light pollution" and its affects upon neighborhoods and the environment. Lighting, dumpsters, loading docks and other service areas should be shielded from the residential area. (F42)

Revise standards to ensure that residential and commercial development more efficiently provide night time lighting without intruding on adjacent uses or casting significant lighting skyward. (F72)

Design standards for field and parking lot lighting should seek to minimize glare, light spill-over onto adjacent properties, and impacts on the dark night sky. (F 135)

## **ANALYSIS:**

1. The proposed zoning ordinance and design standard changes are listed below. The amendment to the zoning code references all the lighting standards. The Design Standard amendments reflect a new section on lighting that includes light trespass language as well as references to other standards.

2. This change was initiated by a request from the Near South Neighborhood Association to modify the code to mitigate the lighting impact of commercial uses (such as convenience stores, all night facilities, auto sales lots and others) on adjoining residences. The Near South reasoned that older residential areas near older business districts should be protected from glare and light trespass just like the newer residential districts that have the protection of the Environmental Performance Standards.

3. During the review of this request, discussion with Building and Safety and LES brought to our attention that the Environmental Performance Standards have never been enforced, and they cannot be enforced, because of vague, antiquated language and some standards that are unreasonable. The current lighting standards also do not seem to fully address several other issues that may be of community concern, such as;

- 1) Establishing maximum illumination under gas pump canopies and outdoor vehicle display lots.

- 2) Establishing time frames and/or the time that existing lighting fixtures are replaced to bring lighting into conformance with adopted standards.

- 3) Requiring businesses to reduce lighting intensity after closing time.

- 4) Including provisions that are applicable to residential as well as nonresidential uses and districts.

- 5) Regulating fixture types to preserve a "dark sky" for astronomy and minimize "sky glow" in urban areas.

4) A comprehensive review of the lighting standards is needed, but it will require outside technical assistance and a strong community education/input process. In the meantime, staff proposes to extend the protection of the "light trespass" standard, which is now applicable to all parking lots and to other outdoor lighting in the newer "Use Permit" districts, to all non-residential uses where abutting property in all residential districts. This should indirectly control glare and brightness to some extent.

5) Staff is conducting a study of illumination levels at a variety of locations to better evaluate the effectiveness of the light trespass standard. It is anticipated a report will be available by the time of the hearing.

**Proposed Language:**

**Chapter 27.71 ADDITIONAL HEIGHT AND AREA REGULATIONS**

a) 27.71.165 - Outdoor Lighting

All outdoor lighting shall be designed, installed and maintained in accordance with all applicable lighting design standards adopted by resolution of the City Council.

**Design Standards - Title 3, Design Standards for Zoning Regulations**

add a new chapter as follows

3.100 Outdoor Lighting

Light trespass from a non-residential use abutting, or across the alley from, a Residential District shall not exceed 0.5 footcandles at the residential property line. Techniques may include such methods as shielding and controlled cut-off fixtures, as well as proper alignment and location for lighting of the subject.

If any existing uses are extended, enlarged, moved, structurally altered, or reconstructed, this standard shall apply with respect to such extended, enlarged, moved, structurally altered or reconstructed uses.

Other related adopted lighting standards may be found as follows:

Chapter 2.30 - Street Lighting Design Standards

Chapter 3.00 - Environmental Performance Standards for B-2, B-5, I-2, I-3 and O-3,

Section 8 / Performance standards for outdoor night time lighting

Chapter 3.45 - Design Standards for Parking Lots,

Section 3.8 / lighting

Chapter 3.55 - Design Standards for Recreational Facilities,

Section 5 / Outdoor Recreational Lighting

Zoning Chapter 27.69.030(a) and 27.69.035 ©), lighting for signs

Prepared by:

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